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Attorney For Plaintiffs, IRMA RAMIREZ; and
 DAREN HEATHERLY

UNITED STATES DISTRICT COURT
 DISTRICT OF CALIFORNIA

IRMA RAMIREZ; and
 DAREN HEATHERLY

Plaintiffs,

v.

SAN FRANCISCO MUNICIPAL
 TRANSPORTATION AGENCY; and
 CITY and COUNTY OF SAN
 FRANCISCO,

Defendants.

CASE NO. CV-12-3656-DMR

**STIPULATION OF DISMISSAL AND
~~[PROPOSED]~~ ORDER THEREON**

The parties, by and through their respective counsel, stipulate to dismissal of this action in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(2). Outside of the terms of the Settlement Agreement and General Release (“Agreement”) herein, each party is to bear its own costs and attorneys’ fees. The parties further consent to and request that the Court retain jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

Therefore, IT IS HEREBY STIPULATED by and between parties to this action through their designated counsel that the above-captioned action become and hereby is dismissed with prejudice pursuant to Federal Rules of Civil Procedure 41(a)(2).

This stipulation may be executed in counterparts, all of which together shall constitute one original document.

Dated: January 8, 2014

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

By: /s/Thomas E. Frankovich
Thomas E. Frankovich
Attorney for Plaintiffs IRMA RAMIREZ; and
DAREN HEATHERLY

Dated: January 8, 2014

DENNIS J. HERRERA
City Attorney
CHERYL ADAMS
Chief Trial Deputy
DAVID W. AMMONS
Deputy City Attorney

By: /s/ David W. Ammons
DAVID W. AMMONS
Attorneys for Defendant
CITY AND COUNTY OF SAN FRANCISCO

ORDER

IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to Fed.R.Civ.P.41(a)(2). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for the purpose of enforcing the parties' Settlement Agreement and General Release should such enforcement be necessary

Dated: Jan. 9, 2014

Honorable Magistrate Donna M. Ryu
UNITED STATES DISTRICT JUDGE

